

06-22-05

SPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Tomoki NOBUTA et al.  
Serial No : 10/634,607  
Filed : August 5, 2003  
Title : CELL ELECTRODE AND ELECTROCHEMICAL CELL...  
Examiner : Melissa J. Austin  
Art Unit : 1745  
Confirmation No. : 6611

June 21, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

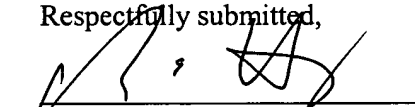
SUBMISSION OF REPLACEMENT DECLARATION

SIR:


In response to the non-final Office Action mailed February 16, 2005, applicant hereby submits a replacement copy of the Declaration to replace the Declaration that was filed on August 5, 2003 with the application. The replacement Declaration claims priority of JP 2002-227160, contains the application number and filing date, and the date on which this application was amended.

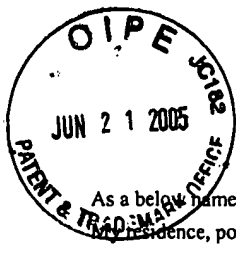
Any fee due with this paper may be charged to Deposit Acct. No. 50-1290.

Respectfully submitted,

  
\_\_\_\_\_  
Brian E. Hennessey  
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**CUSTOMER NO.: 026304**  
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Docket No.: NECW 20.531 (100806-00222)

Filed by Express Mail  
(Receipt No. EV47855529545)  
on June 21, 2005  
pursuant to 37 C.F.R. 1.10.  
by 



## DECLARATION FOR PATENT APPLICATION

UNITED STATES

Docket No. NECW 20.531

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject-matter which is claimed and for which a patent is sought on the invention entitled: CELL ELECTRODE AND ELECTROCHEMICAL CELL THEREWITH

the specification of which

(check one)

☐ is attached hereto.☒ was filed on August 5, 2003 asApplication Serial No. 10/634,607and was amended on May 16, 2005 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

2002-227160

(Number)

Japan

(Country)

05/08/2002

(Day/Month/Year Filed)

## Priority Claimed

☒ Yes ☐ No

Yes No

(Number)

(Country)

(Day/Month/Year Filed)

Yes No

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status-patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status-patented, pending, abandoned)

I hereby appoint as my attorney and agent Aaron B. Karas, Reg. No. 18,923, Samson Helfgott, Reg. No. 23,072, Linda S. Chan, Reg. No. 42,400, Michael Markowitz, Reg. No. 30,659, Brian Myers, Reg. No. 49,947, Harris Wolin, Reg. No. 39,432, Shahan Islam, Reg. No. 32,507, Emma Shleffer, Reg. No. 29,734, Serle Mosoff, Reg. No. 25,900 and Thomas J. Bean, Reg. No. 44,528 to prosecute this application and to transmit all business in the Patent and Trademark Office connected therewith.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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